

### **REMARKS/ARGUMENTS**

Applicants would like to thank the Examiner for the careful consideration given the present application, and for the personal interview conducted on January 10, 2006. The application has been carefully reviewed in light of the Office Action, and this amendment is in response thereto.

Claims 1–19 remain in this application. Claim 20 has been added without adding any new matter.

Applicant's representative notes that the Interview Summary provided by the Examiner improperly lists the date of the interview as being January 7, 2006. The actual date of the interview was January 10, 2006.

Claims 1-6, 10-14, and 19 were rejected under 35 U.S.C. §102(a) as being anticipated by Ali *et al.* (U.S. U.S. 5,896,411). Claims 7, 9, 15, and 18 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ali in view of Minami *et al.* (U.S. 6,587,510); and claims 8 and 16-17 were rejected under Ali in view of Kubo *et al.* (U.S. 6,249,682). For the following reasons, the rejections are respectfully traversed.

As discussed at the personal interview, Ali fails to teach that an apparatus that calculates a variable power step amount based on both a detected reception power state and a power bit setting received from a distant station. Instead, Ali appears to teach a base station that “can dynamically set the power control step size for each SU” (see col. 3, lines 56-60). Thus, the reference teaches that it is the *base station* that sets the power control step size.

In contrast, claim 1, amended as discussed at the personal interview, recites a “transmission power control step range changer which calculates a variable power step amount of a transmission power control step based on the transmission power control bit and also based on the detected communication state” wherein “said apparatus increases or decreases a

transmission power of a transmitted signal to the distant station by the calculated power step amount in response to the transmission power control bit received from the distant station". Thus, the claim recites that it is the *apparatus* that calculates the power step size, based on the detected state and power control bit setting of the *received* signal. The Examiner agreed, at the interview, that using such language would satisfy him, and that the claimed invention would not read on the Ali apparatus if amended accordingly. Thus, claim 1, as amended, is clearly patentable over the reference.

Claim 10, as amended, recites similar limitations at lines 10-20, and thus is also patentable over the reference for at least the same reasons. Neither Kubo nor Minami overcome the Ali shortcomings, and thus claims 7, 9, 15, & 18, and claims 8 & 16-17, which depend on one of claims 1 and 10, are also patentable over the references for at least the same reasons.

Finally, new claim 20 recites that the variable power step control amount is calculated based on both reception power information of a signal received by the mobile device and a power control bit received from a base station, and that this amount is used to change the transmission power of the signal transmitted by the mobile device. Ali, in contrast, does not teach any calculation based on both of these criteria. None of the other references overcome this Ali shortcoming. Thus, new claim 20 is patentable over the references as well.

In consideration of the foregoing analysis, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same  
to our Deposit Account No. 16-0820, our Order No. 33220.

Respectfully submitted,  
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By 

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